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PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/054,301
	Filing Date	11/13/01
	First Named Inventor	Jane Chilla
	Art Unit	5355
	Examiner Name	Lynnda C. Joernin
Total Number of Pages in This Submission	Attorney Docket Number	CHA9 20010014 451

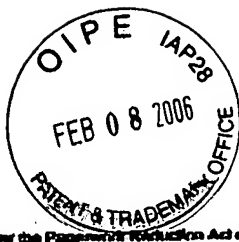
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Amendment/Reply under 37 CFR 1.105 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Information Disclosure Statements & 2 articles	<input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.63	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	IBM Corp		
Signature	<i>James E. Murray</i>		
Printed name	JAMES E. MURRAY		
Date	2/4/06	Reg. No.	20,915

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Elizabeth A. Jarno</i>		
Typed or printed name	ELIZABETH JARNO	Date	2/6/2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04-02)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-10).		Complete if Known	
<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Application Number	10/054,301
		Filing Date	11/13/01
		First Named Inventor	Jane Childs
		Examiner Name	Rynda C. Jacomin
		Art Unit	5355
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	CHA920010014 451
TOTAL AMOUNT OF PAYMENT (\$)			

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 09-0469 Deposit Account Name: IBM Corp

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(c).

Total Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>- 100 =</u>	<u>/ 50 =</u>	<u>(round up to a whole number) x</u>	<u>=</u>

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

SUBMITTED BY		Registration No.	Telephone
Signature	<u>James E. Murray</u>	<u>20,915</u>	<u>(845) 462-4763</u>
Name (Print/Type)	<u>JAMES E. MURRAY</u>		Date <u>2/04/06</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to be used by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Jane Childs : GROUP ART UNIT 5355  
SERIAL NO: 10/054,301 : EXAMINER: Lynda C. Jasmin  
FILED: 11/13/01 : DATE: February 3, 2006  
TITLE: Internet Strategic Brand : James E. Murray  
Weighting Factor : 69 South Gate Drive  
: Poughkeepsie, NY 12601

RESPONSE TO REQUIREMENT FOR INFORMATION  
UNDER 37 CFR 1.105

MAIL STOP AMENDMENT

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the requirement dated 12/09/2005, please find the enclosed Information Disclosure Statement listing items thought to be pertinent to the above-identified application. The items listed in this Information Disclosure Statement include the article entitled "The Anatomy of a Large-Scale Hypertextual Web Search Engine" by Sergey Brin and Lawrence Page mentioned on page 6 of the application; an overview of a book named Modern Information Retrieval by Baeza-Yates and Ribeiro-Neto; Information Disclosure Statements, one submitted

for the present application and the other for copending U.S. Patent Application serial #10/120,082 (Applicants' docket CHA920020001US1) and finally the Google database.

The present application is directed at the promotion by a merchant of products and services in a deterministic manner free of conflicting actions by modifying raw ranking data based on the merchants interests. When a shopper enters a set of key words in an entry field in an on-screen form for a web server to obtain a list of items (products and/or services) of interest to the shopper, the documents describing the items can be prioritized using a weighting factor by the information provided by the merchant. The weighting factor is combined with existing ranking mechanisms to the documents to increase the probability that certain items come to the top when the search results are presented to the shopper. These items could be used to ensure shoppers do not overlook special offers or to reduce overstocks by promoting products with a large inventory. The weighting factor is configured so as to not decrease the shoppers confidence in the ranking process.

The information requested here is the same as requested in connection with the above mentioned copending U.S. Application. As pointed out in the response dated 12/15/05 to that request, some of the inventors felt that the enclosed Brin and Page article was the closest overall reference to the present invention. The Modern Information Retrieval book by Baeza-Yates et al is considered as a good source on information retrieval. The article and the book discuss the weighting of search terms of a query vector in the retrieval of documents. U.S. Patent #6,269,361 and other references listed in the previously submitted Information

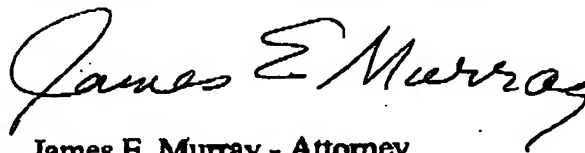
CHA920010014US1

Disclosure Statements show that bias ranking to obtain preference of articles is shown in the prior art. The Google database was used to obtain the copies of the mentioned Brin and Page article and the overview of the Baeza-Yates, Ribeiro-Neto book.

The present application is not directed at ranking algorithms in general, but to those that provide for bias ranking or modification of the results to promote products. Since the bias ranking is generally old, as shown in the above mentioned patent, it is felt that the mentioned documents provide a proper background for consideration of applicants improved technique for increasing the probability of certain items being presented to the shopper in search results.

For the above reasons, it is respectfully submitted that the application be reconsidered after reviewing the mentioned prior art sources.

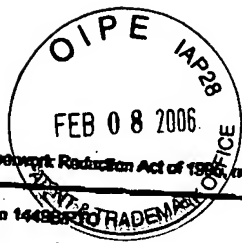
RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "James E. Murray".

James E. Murray - Attorney

Registration No.: 20,915

Phone: (845) 462-4763



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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Substitute for form 1449 (Rev. 10/2002)

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete If Known	
Application Number	<u>10/054,301</u>
Filing Date	<u>11/13/01</u>
First Named Inventor	<u>Jane Childs</u>
Art Unit	<u>5355</u>
Examiner Name	<u>Lynda C. Jansen</u>
Attorney Docket Number	<u>CHA920020014US1</u>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		<u>Modern Information Retrieval by</u>	
		<u>Reichs, Saegs-Yates &amp; Berthiers Retrievers- Nets</u>	
		<u>in the context of a Large-Scale Hypertextual Web</u>	
		<u>Search, Longitudinal by Sergey Brin &amp; Lawrence Page</u>	
		<u>Comp Science Dept- Stanford Univ.</u>	
		<u>IDS for CHA9 2002 0001 451</u>	
		<u>IDS for CHA9 2001 0014 451</u>	
		<u>Google Database</u>	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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